

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JAMES MARK HERRIN §
VS. § CIVIL ACTION NO. 1:19-CV-545
MAURICE VILLASANA, ET AL. §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff James Mark Herrin, a prisoner confined at the Jasper County Jail, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Maurice Villasana, Aubery Elton Cole, Josh Hancock, Scotty Duncan, James Carter, Mitchell Newman, Rebecca Cloud, Paul Brister, Unknown Gray, and Kenneth Hammock.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to the plaintiff at his last known address. *See* FED. R. CIV. P. 5(b)(2)(c). No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (document no. 8) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 26th day of June, 2020.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE